

THE MIAMI NEWS DADE REPORT

Tuesday, March 5, 1968

3A



\$10,000 Get-Lost Offer In Esperti Case Told

By HAINES COLBERT
and MILT SOSIN
Miami News Reporters

A missing key witness in the murder trial of Anthony (Big Tony) Esperti had offered to "get lost" for \$10,000, an attorney said today.

State Attorney Richard E. Gerstein had revealed yesterday that James T. Mays could not be found and had apparently left town.

He asked for a postponement, but Circuit Court Judge John Kehoe turned him down.

Today, Louis Vernell, attorney for Esperti — who is charged with the shooting of Mafia enforcer Tommy Altamura — stood up in court and mentioned, somewhat routinely, that he wanted to pass on information about Mays.

Vernell said that last Nov. 6, he received a phone call from a man who said he could help Esperti.

He said he knew the only witness to the killing — in The Place for Stake restaurant, 1335 79th St., Causeway last Oct. 31 — and, "for \$10,000, my friend will cooperate and we will see that the witness gets lost."

Vernell said, in conversa-

tion with the anonymous caller, he got the impression the man did not know too much about the case, and decided he was an opportunist.

He said he did inform the FBI and Gerstein's assistant, Al Sepe, then put the conversation out of his mind.

Later, however, the 37-year-old Esperti received a letter while he was in jail, which said that if he were sent to the electric chair, he could blame his attorney for "failing to cooperate with the man who could have kept him out of it."

Vernell said that, last Saturday, he called the 30-year-old Mays, who was staying at a motel.

Vernell's assistant, William Moran, listened to the voice of the anonymous caller, which Vernell had taped, and said it belonged to Mays.

Mays at first denied this to Vernell, said the attorney, then later admitted he had been the caller and asked again about the \$10,000. Vernell told Mays he had been subpoenaed, and he would not give the man any money.

Yesterday morning, said Vernell, he called Mays again and the witness told him he was not going to appear in court.

Tapes of all the conversations between Vernell and Mays were played in court, and later given into the custody of the court.

Gerstein complained to the judge that it was an affront to the court that Vernell had not released this information yesterday when the state announced Mays was miss-

ing. Judge Kehoe said he was inclined to agree.

"As an officer of the court," he told Vernell, "you are under absolute obligation to inform the court."

Vernell said he did not know what Mays was going to do, and had hoped the witness would turn up.

Once again, Gerstein asked for a postponement so that Mays could be found — and either cleared of the allegations or charged with extor-

tion. Once again, he was turned down.

The judge had said yesterday, "I never heard of a murder case that depended on one witness.)"

Judge Kehoe has signed a warrant for Mays' arrest, and a statewide search is underway at the transient hotels of the type he frequented in Miami, at bus and railroad stations, and air terminals.

Sepe described Mays as a

"drifter type," tall, blond and well-built, although somewhat slim.

Mays' testimony, according to the state, would have been that he saw Esperti emerging from the restaurant, holding a pistol in one hand, and dragging his girl friend, Audrey Fowler, by the arm with his other hand.

Inside, the 53-year-old Altamura lay in the lobby with three bullets in his head.